

No. 11 (112)-80-gLab/13044.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Sudhir Engineering, Industries. :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT HARYANA, ROHTAK

Reference No. 114 of 80

between

SHRI RANDHIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S SUDHIR ENGINEERING INDUSTRIES, ROHTAK

Present :—

None for the workman.
Shri M.M. Kaushal for the management.

AWARD

This reference No. 114 of 80 has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/RTK/40-80/30621, dated 20th June, 1980 under section 10(1)(c) of the I.D. Act, 1947 for adjudication of dispute existing between Shri Randhir Singh, workman and the management of M/s. Sudhir Engineering Industries, Rohtak. The term of the reference was :—

“Whether the termination of service of Shri Randhir Singh was justified and in order ? if not, to what relief is he entitled ?”

On the receipt of the order of reference notices as usual were sent to the parties. Shri M.M. Kaushal representative of the management appeared for the management but no one appeared for the workman dispute the service of notice to him through his authorised representative Shri B.S. Punal. The proof of service is attached with the file of Reference No. 10 of 80. Ex parte proceedings were taken up against the workman on the same date of hearing and the case was fixed for *ex parte* evidence of the management to be recorded on 4th November, 1980. On 4th November, 1980 *ex parte* evidence of the management was recorded. Shri Randhir Nagpal, Partner of the respondent was examined as the sole management witness. He deposed that the workman executed a settlement with the management on 4th April, 1980 which is Exhibit MW-1/1 and while bears my signature at point 'A' and the signature of the workman at point 'B'. Under the settlement the workman has taken his dues and put his signature on the revenue stamp at point 'C' and the workman signed the settlement and received the payment in my presence. Argument were also heard.

The statement of M.W. 1 has to be relied upon when it is made on oath and more so when it is made in *ex parte* proceedings. When the workman did not appear to pursue his claim against the management the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms. No order as to cost.

The 5th November, 1980.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 2296, dated the 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 11(112)80-8Lab-13045.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Sudhir Engineering Industries, Gohana Road, Rohtak :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA ROHTAK
Reference No. 107 of 1980

between

SHRI AJAD SINGH, WORKMAN AND THE MANAGEMENT OF M/S SUDHIR ENGINEERING INDUSTRIES, GOHANA ROAD, ROHTAK

Present :—

No one for the workman.
Shri M. M. Kaushal for the management.

AWARD

This reference No. 107 of 1980 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/RTK/46-80/30513, dated 20th June, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication of dispute existing between Shri Randhir Singh, workman and the management of M/s Sudhir Engineering Industries, Rohtak. The term of the reference was :—

Whether the termination of services of Shri Azad Singh was justified and in order ? If not, to what relief is he entitled ?

On the receipt of the order of reference notices as usual were sent to the parties. Shri M.M. Kaushal, representative of the management, appeared for the management but no one appeared for the workman despite the service of notice to him through his authorised representative Shri B.S. Panchal. The proof of service is attached with the file of Reference No. 105 of 1980. *Ex parte* proceedings were taken up against the workman on the same date of hearing and the case was fixed for *Ex parte* evidence of the management to be recorded on 4th November, 1980. On 4th November, 1980, *ex parte* evidence of the management was recorded. Shri Randhir Nagpal Partner of the respondent, was examined as the sole management witness. He deposed that the workman executed a settlement with the management on 28th April, 1980, which is Exhibit MW-1/1 and which bears my signature at point 'A' and the signature of the workman at point 'B'. Under the settlement the workman has taken his dues and put his signature on the revenue stamp at point 'C' and the workman signed the settlement and received the payment in my presence. Arguments were also heard.

The statement of MW-1 has to be relied upon when it is made on oath and more so when it is made in *ex parte* proceedings. When the workman did not appear to pursue his claim against the management the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms. No order as to costs.

Dated, the 5th November, 1980.

BANWARI LAL DALAL,
Presiding Officer
Labour Court, Rohtak.

Endorsement No. 2797, dated the 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 11(112)-80-8Lab./13046.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workmen and the management of M/s Haryana State Electricity Board, Karnal :—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 215 of 79

between

SHRI MOHAN SINGH, WORKMAN AND THE MANAGEMENT OF HARYANA STATE ELECTRICITY BOARD, KARNAL

Present :—

Shri D.P. Pathik for the workman.
Shri S.S. Sarohi for the management.

AWARD

This reference No. 215 of 1979 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/KNL/48-79/50893, dated 30th November, 1979, under section 10(i)(c) of the Industrial Disputes Act for adjudication of the dispute existing between Shri Mohan Singh, workman and the management of H.S.E.B., Karnal. The term of the reference was :—

Whether the termination of services of Shri Mohan Singh was justified and in order ? If not, to what relief is he entitled ?

The management appeared through their authorised representative in response to the notice sent to them. Service of notice to the workman not being effected and no one was present on his behalf on 4th February, 1980. Fresh notice was issued under Regd. A. D. for 6th March, 1980. On this date of hearing the workman, representative prayed that the demand notice of the workman be treated as his claim statement. The management filed the written statement on the next date of hearing. The workman filed the rejoinder on 10th July, 1980, issues were also framed on the basis of the pleadings of the parties on that very date and management was asked to lead their evidence on 18th September, 1980. On this request of the parties the case was adjourned to 17th November, 1980 for management evidence. On this date of hearing the parties arrived at a amicable settlement between themselves. The statements of the parties were recorded. The management agreed to reinstate the workman with continuity of service under old terms and conditions on which he was working at the time of his termination and the intervening period was to be treated as leave of the kind due. The workman had forgone his right of back wages. I accordingly made an award and answered the reference while returning the same in these terms. No order as to costs.

Dated, the 20th November, 1980.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Endorsement 2798, dated the 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 11(112)-80-8Lab/13049.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Sudhir Engineering Industries, Rohtak:—

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 113 of 1980

between

SHRI HARISH KUMAR, WORKMAN AND THE MANAGEMENT OF M/S SUDHIR ENGINEERING INDUSTRIES, ROHTAK

Present.—

No one for the workman.

Shri M.M. Kaushal for the management.

AWARD

This reference No. 113 of 1980 has been referred to this court by the Hon'ble Governor,—*vide* his order No. ID/RTK/41-80/33766, dated 20th June, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication of dispute existing between Shri Harish Kumar, workman and the management of M/s Sudhir Engineering Industries, Rohtak. The term of the reference was:—

Whether the termination of services of Shri Harish Kumar was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference notices as usual were sent to the parties. Shri M. M. Kaushal, representative of the management, appeared for the management but no one appeared for the workman despite of the service of notice to him through his authorised representative Shri B.S. Panchal. The proof of service is attached with the file of reference No. 105 of 1980. *Ex parte* proceedings were taken up against the workman on the same date of hearing and the case was fixed for *ex parte* evidence of the management to be recorded on 4th November, 1980. On 4th November, 1980 *ex parte* evidence of the management was recorded. Shri Randhir Nagpal, Partner of the respondent was examined as the sole management witness. He deposed that the workman executed a settlement with the management on 4th April, 1980, which is Exhibit MW-1/1 and which bears my signature at point 'A' and the signature of the workman at point 'B'. Under the terms of settlement the workman has taken his dues and put his signature on the revenue stamp at point 'C' and the workman signed the settlement and received the payment in my presence. Arguments were also heard.

The statement of MW-1 has to be relief upon when it is made on oath and more so when it is made in *Ex parte* proceedings. When the workman did not appear to pursue his claim against the management the action of the management is justified and in order. The workman is not entitled to any relief. The reference is answered and returned in these terms. No order as to costs.

Dated, the 5th November, 1980.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

Endorsement No. 2801, dated the 29th November, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.